

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 13-3568 (DSD/BRT)

Leparis D. Young, Maureen  
O'Shaughnessy Young, as  
Trustees of the Leparis D.  
Young Revocable Trust;  
Maureen O'Shaughnessy Young,  
Leparis D. Young, as Trustees  
of the Maureen O'Shaughnessy  
Young Revocable Trust; John  
F. O'Shaughnessy, Jr.; and  
MTerra Ventures, LLC,

Plaintiffs,

v.

**ORDER**

ECTG Limited,

Defendant.

This matter is before the court upon the requests to dismiss count II of the amended complaint and for entry of judgment by plaintiffs Leparis D. Young and Maureen O'Shaughnessy Young, as trustees of the Leparis D. Young Revocable Trust and the Maureen O'Shaughnessy Young Revocable Trust, John F. O'Shaughnessy, Jr., and mTerra Ventures, LLC. The requests will be treated as motions. Based on a review of the file, record, and proceedings herein, the motions are granted.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The motion to dismiss count II of the amended complaint under Fed. R. Civ. P. 41(a)(2) [ECF No. 75] is granted;

2. The motion for entry of judgment under Fed. R. Civ. P. 58(d) [ECF No. 76] is granted;

3. The clerk of court is directed to enter judgment in favor of plaintiffs on count I of the amended complaint.

4. Leparis D. Young and Maureen O'Shaughnessy Young, as Trustees of the Leparis D. Young Revocable Trust, shall recover against ECTG Limited principal in the amount of \$150,000.00, plus interest as set forth in the corresponding promissory notes.

5. Maureen O'Shaughnessy Young and Leparis D. Young, as Trustees of the Maureen O'Shaughnessy Young Revocable Trust, shall recover against ECTG Limited principal in the amount of \$500,000.00, plus interest as set forth in the corresponding promissory notes.

6. John F. O'Shaughnessy, Jr. shall recover against ECTG Limited principal in the amount of \$306,122.44, plus interest as set forth in the corresponding promissory note.

7. mTerra Ventures, LLC shall recover against ECTG Limited principal in the amount of \$500,000.00, plus interest as set forth in the corresponding promissory note.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: April 8, 2015

s/David S. Doty  
David S. Doty, Judge  
United States District Court